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Attorneys for Defendants

UNITED STATES DISTRICT COURT – SOUTHERN DISTRICT OF
CALIFORNIA

CHAD MCKINNEY, an individual,
Plaintiff,

v.

APOLLO GROUP, INC.,
UNIVERSITY OF PHOENIX, a
Corporation, MECHELLE
BONILLA, an Enrollment Manager
at UNIVERSITY OF PHOENIX,
KYAN FLYNN, Director of
Enrollment at UNIVERSITY OF
PHOENIX, APRIL ALCORN, an
Employees Relations Consultant at
UNIVERSITY OF PHOENIX,
CARLYN LINDSTEN, Associate
Director of Enrollment at
UNIVERSITY OF PHOENIX

Defendants

CASE NO. 07-CV-2373 WQH CAB

DECLARATION OF KYAN FLYNN

Date: October 20, 2008
Time: 11:00 a.m.
Courtroom: 4
Judge: Hon. William Q. Hayes

DATE OF FILING: December 19, 2007

1 I, Kyan Flynn, declare as follows:

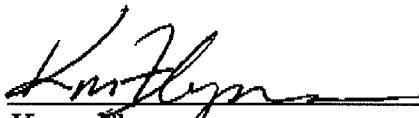
2 1. I am over the age of 18. I am currently employed at the University of
3 Phoenix, Inc. ("UOP") as the Director of Enrollment for its San Diego Campus,
4 Kearny Mesa Learning Center. In that capacity, I deliver new student enrollment
5 plans as set forth by UOP. I have been in this position since June 2006. Unless
6 otherwise indicated, I state the following based on my own personal knowledge.

7 2. I was never personally served with any legal document regarding this
8 matter, nor have I been made aware of any attempts to be personally served with
9 legal documents in this matter. Further, no one has informed me that they have
10 accepted any legal documents in this matter on my behalf.

11 3. On August 27, 2008, I received a copy of a summons and complaint in
12 my work mailbox at UOP wherein it appears that I am named in a lawsuit filed by
13 Chad McKinney ("McKinney"). A true and correct copy of the McKinney
14 summons and complaint that was in my work mailbox is attached as Ex. 1.
15 Apparently, the McKinney summons and complaint was sent by U.S. Priority Mail
16 with a signature received requirement. A true and correct copy of the envelope that
17 the McKinney summons and complaint was in is attached as Ex. 2. The McKinney
18 summons and complaint was already in my work mailbox and I did not provide my
19 signature to receive the envelope or its contents.

20
21 I declare under penalty of perjury under the laws of the State of California
22 that the foregoing is true and correct.

23
24 Dated: September 4, 2008

25 
Kyan Flynn

PROOF OF SERVICE**McKinney v. Apollo Group, Inc., et al.
USDC, Southern – Case No. 07-CV-2373**

I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action; my business address is 600 Anton Boulevard, Suite 1400, Costa Mesa, California 92626-7689.

On September 9, 2008, I served, in the manner indicated below, the foregoing document described as **DECLARATION OF KYAN FLYNN** on the interested parties in this action by placing true copies thereof, enclosed in sealed envelopes, at Costa Mesa, addressed as follows:

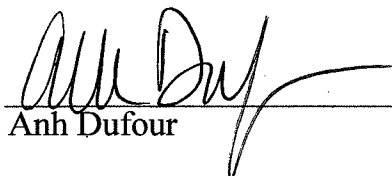
Chad McKinney 6266 Madeline Street, Apt. #61 San Diego, CA 92115	Plaintiff, Pro Se Tel: (619) 634-3566 TRACKING # 798508102292
United States District Court Attention: Hon. Judge William Q. Hayes Courtroom 4 940 Front Street, Room 4290 San Diego, CA 92101-8900	Courtesy Copy Tel: (619) 557-5600 TRACKING # 792104054237

I am employed in the office of a member of the bar of this court at whose direction the service was made.

☒ BY FEDERAL EXPRESS: I caused such envelopes to be delivered by air courier, with next day service, to the offices of the addressees. (C.C.P. § 1013(c)(d)).

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on September 9, 2008, at Costa Mesa, California.


Anh Dufour